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7 SANTA CRUZ HOMELESS UNION, et al.,  
8 Plaintiffs,  
9 v.  
10 MARTIN BERNAL, et al.,  
11 Defendants.

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Case No. 20-cv-09425-SVK

**ORDER GRANTING PLAINTIFFS'  
APPLICATION FOR TEMPORARY  
RESTRANING ORDER AND MOTION  
SCHEDULING**

Re: Dkt. No. 1

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13 Presently before the Court is Plaintiffs' Ex Parte Application for Emergency Temporary  
14 Restraining Order and Preliminary Injunction. Dkt. 1. The Court finds that Plaintiffs have shown  
15 that immediate and irreparable injury, loss, and/or damage will result to the movant before the  
16 adverse party can be heard in opposition. Fed. R. Civ. P. 65(b). Plaintiffs' counsel has certified in  
17 writing his efforts to meet and confer with and notice given to Defendants on December 30, 2020.  
18 Dkt. 1-1 ¶¶ 1-2; Ex. B.

19 Given the urgency of this matter, the City of Santa Cruz, its officers, agents, and  
20 employees, including Defendants City Manager Martin Bernal and Director of Parks & Recreation  
21 Tony Elliot, are hereby restrained from closing San Lorenzo Park and/or the Benchlands or from  
22 taking any action whatsoever to remove persons or seize or destroy personal property belonging to  
23 homeless persons currently residing at those locations until further action of the Court.

24 The Court **ORDERS** as follows:

25 1. This Temporary Restraining Order is entered December 30, 2020 for a period of seven  
26 days through **January 6, 2021**.  
27 2. Parties are to provide briefing for the motion for preliminary injunction on the  
28 following schedule:

1 a. Plaintiffs may submit any supplemental briefing in support of preliminary  
2 injunction by **12:00 p.m. on December 31, 2020.**  
3 b. Defendants shall file and serve an opposition to preliminary injunction, if any,  
4 by **12:00 p.m. on January 5, 2021.**  
5 3. A hearing on this matter will take place via video conference at **2:00 pm. on January**  
6 **6, 2021.**

7 **SO ORDERED.**

8 Dated: December 30, 2020

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11 SUSAN VAN KEULEN  
12 United States Magistrate Judge